

**LETTER ROGATORY – CHENG SUN LAN**

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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ANDES INDUSTRIES, INC. and  
PCT INTERNATIONAL INC.,

**Civil Action No. 2:14-cv-00400**

Plaintiffs,

v.

CHENG SUN LAN; KUN-TE YANG;  
CHI JEN (DENNIS) LAN; POLAR STAR  
MANAGEMENT LTD.; EZCONN  
CORPORATION; and EGTRAN  
CORPORATION,

Defendants.

**REQUEST FOR INTERNATIONAL  
JUDICIAL ASSISTANCE (LETTER  
ROGATORY) FOR SERVICE OF  
PROCESS UPON**

**CHENG SUN LAN**

**TO THE APPROPRIATE JUDICIAL AUTHORITY IN TAIWAN:**

The United States District Court for the District of Nevada presents its compliments to the Appropriate Judicial Authority in Taiwan, and respectfully requests international judicial assistance to effect service of process upon Taiwanese Defendant **CHENG SUN LAN** in connection with a civil proceeding currently pending before this Court.

**NATURE AND PURPOSE OF THE PROCEEDINGS**

Plaintiffs Andes Industries, Inc. (“Andes”) and PCT International, Inc. (“PII”) bring this action against, *inter alia*, Defendants Cheng Sun Lan, Kun-Te Yang, Chi-Jen (Dennis) Lan, and EZconn Corporation (“EZconn”) for, *inter alia*, alleged breaches of fiduciary duty, usurpation of corporate opportunity, breaches of contract, tortious interference with prospective economic advantage, unfair competition, and civil conspiracy. Plaintiff Andes

and its wholly owned subsidiary PII (collectively, "PCT") assert that they own significant intellectual property, confidential proprietary information, and business operations. PCT alleges that Defendants have abused their positions as shareholders, lenders, and suppliers to PCT in an attempt to gain control over PCT's intellectual property and proprietary information.

### **ALLEGATIONS AND RELIEF SOUGHT BY THE PLAINTIFFS**

PCT submits that its relationship with Defendants dates to approximately 1997, when PCT contracted with EZconn to manufacture various PCT products, which are used in sophisticated broadband communication networks. PCT asserts that, in an effort to win PCT's business, Cheng Sun Lan and others at EZconn assured PCT that they would take steps to properly protect PCT's confidential proprietary information. PCT alleges that it then engaged EZconn as its contract manufacturer and provided EZconn with detailed confidential technical information regarding its proprietary product designs. PCT alleges that, because it viewed Mr. Lan as a trusted business partner, PCT and its shareholders allowed Mr. Lan to invest in Andes.

PCT alleges that Defendants, acting under Mr. Lan's direction and control, usurped PCT's intellectual property, confidential proprietary information, and corporate opportunities to enrich themselves at the expense of PCT and its other shareholders. PCT asserts that Defendants then sought to wrongfully gain complete ownership or control over PCT and its intellectual property assets. PCT claims that Defendants' conduct includes breaches of fiduciary duty, aiding and abetting breaches of fiduciary duty, usurpation of corporate opportunity, breaches of contract, tortious interference with contract, tortious interference

with prospective economic advantage, fraud, constructive fraud, breach of implied duty of good faith and fair dealing, unfair competition, unjust enrichment, and civil conspiracy.

PCT asks this Court to adjudge that Defendants acted in violation of their duties under various doctrines of law, and that Defendants be held liable for damages resulting from these acts.

#### **DEFENDANT'S LOCATION**

It has been represented to this Court that Defendant **CHENG SUN LAN** is an individual domiciled in Taiwan but whose home address could not be ascertained after a diligent search. According to an investigation undertaken by PCT, **CHENG SUN LAN** can be served at the following business address:

**CHENG SUN LAN**  
**c/o EZconn Corporation (光紅建聖股份有限公司)**  
**F3, No. 12., Lane 121, LiDe Rd.,**  
**Beitou District, Taipei City**  
**(台北市北投区立德路 121 巷 12 号 3 楼 )**  
**TAIWAN**

#### **ASSISTANCE REQUESTED**

This Court respectfully requests that Taiwanese judicial authorities:

1. Cause one copy of the *Summons in a Civil Action* and *Complaint*, appended hereto in English and in Chinese, to be served upon **CHENG SUN LAN** at the above-indicated address, in the manner prescribed for the service of similar documents under the laws of Taiwan;
2. Cause the person who serves the documents upon the defendant to execute an affidavit of service as provided by Taiwanese law;

3. Return through diplomatic channels to plaintiffs' counsel's international litigation support firm, Legal Language Services, 8014 State Line Road, Ste 110, Leawood, KS 66208 USA, the affidavit of service and copy of the documents which were served;

If service cannot be effected at the addresses provided, this Court respectfully requests judicial assistance to effect service by any means permitted under Taiwanese law.

This Court, through PCT, is willing to reimburse any expenses incurred by any Taiwanese judicial authority in executing this Letter of Request.

The courts of the United States are authorized by statute, Section 1696, Title 28, United States Code, to extend similar assistance to the Tribunals of Taiwan in like cases.

This Court extends to the judicial authorities of Taiwan the assurances of its highest consideration.

Respectfully Requested,

Dated: July 17, 2014

  
GEORGE FOLEY, JR.  
United States Magistrate Judge  
333 Las Vegas Blvd. South  
Las Vegas, NV 89101  
United States of America  
702-464-5575

(SEAL OF US DISTRICT COURT FOR THE DISTRICT OF NEVADA)